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*Attorneys for Defendant Merck Sharp & Dohme Corp.*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE: FOSAMAX PRODUCTS LIABILITY LITIGATION
<i>This Document Relates to:</i>
ALL ACTIONS

MDL NO. 1789  
1:06-md-1789 (JFK)

**DECLARATION OF WILLIAM J. BEAUSOLEIL**

WILLIAM J. BEAUSOLEIL declares as follows:

1. I am an attorney admitted to practice before this Court and a partner at Hughes Hubbard & Reed LLP, attorneys for Defendant Merck Sharp and Dohme, Corp., formerly known as Merck & Co., Inc. ("Merck"). I am familiar with the facts set forth herein. I make this declaration based on my own personal knowledge and the business records of the Firm.
2. I make this declaration in support of Merck's Memorandum in Support of its Motion for Entry of a Lone Pine Order.

3. A true and correct copy of Merck's proposed Case Management Order is attached hereto as Exhibit 1.

4. A true and correct copy of Lone Pine Orders entered in other pharmaceutical MDLs is attached hereto as Exhibit 2. This exhibit includes: In re Avandia Mktg. Sales Practices and Prods. Liab. Litig., MDL No. 1871 (E.D. Pa. Nov. 15, 2010) (Pretrial Order No. 21); In re Zyprexa Prods. Liab. Litig., MDL No. 1596 (E.D.N.Y. June 2, 2010); In re Bextra and Celebrex Mktg. Sales and Prods. Liab. Litig., MDL No. 1699 (N.D. Cal. Aug. 1, 2008) (Pretrial Order No. 29); In re Vioxx Prods. Liab. Litig., MDL No. 1657 (E.D. La. Nov. 9, 2007, July 6, 2009) (Pretrial Orders Nos. 28, 29, and 43); In re Rezulin Prods. Liab. Litig., MDL No. 1348 (S.D.N.Y. May 9, 2005) (Pretrial Order No. 370); In re Baycol Prods. Liab. Litig., MDL No. 1431 (D. Minn. Mar. 18, 2004) (Pretrial Order No. 114).

5. A true and correct copy of a chart summarizing the resolution or status of bellwether cases is attached hereto as Exhibit 3.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

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/s/  
WILLIAM J. BEAUSOLEIL

DATED: New York, New York  
October 15, 2012